

PATENT
Attorney Docket No. 36671-716.302

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): K. BUECHLER
Serial Number: 10/697,351
Filing Date: October 29, 2003
Issued Patent No.: 7,824,611
Issued: November 2, 2010
Title: **Diagnostic Devices and Apparatus
for the Controlled Movement of
Reagents without Membranes**

CONFIRMATION NO: 7522

Group Art No. 1797

FAX RECEIVED

MAY 11 2011

OFFICE OF PETITIONS

**REQUEST FOR CERTIFICATE OF CORRECTION OF THE ISSUED PATENT
APPLICANTS MISTAKE (37 C.F.R. §3.81(b))**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTN: Certificate of Correction Branch

Sir/Madam:

Applicant respectfully re-submits Request for Certificate of Correction to comply with the Office Communication dated April 18, 2011 under Rule 3.81(b).

It is noted that an error of minor nature or character appears in this U.S. Patent No. 7,824,611, issued November 2, 2010, due to a mistake on the part of the Applicant as more fully described below. The Patentee believes that correction thereof does not involve such changes in the patent as would constitute new matter or would require re-examination of the patent. A Certificate of Correction is therefore respectfully requested.

Attached hereto is Form PTO/SB/44.

U.S. Patent No. 7,824,611
Request for Certificate of
Correction of the Issued Patent

MISTAKE ON THE PART OF APPLICANT:

Please change the name of the Assignee under (73) from Biosite, Inc., Waltham, MA (US) to Alere San Diego, Inc., San Diego, CA (US).

FEE AUTHORIZATION

The Applicant believe that there is no fee associated with this re-submission; however, the Commissioner is authorized to charge any additional fees which may be required, including petition fees, or credit any overpayment to Deposit Account No. 23-2415 (Docket No. 36671-716.302).

Respectfully submitted,

Dated: May 11, 2011

By: Anavelys Ortiz-Suarez
Anavelys Ortiz-Suarez
Reg. No. 63,535

WILSON SONSINI GOODRICH & ROSATI
650 Page Mill Road
Palo Alto, California 94304
Telephone: 650-493-9300
Customer No. 21971

PTO/SB/44 (09-07)

Approved for use through 08/31/2010. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

(Also Form PTO-1050)

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NO. : 7,824,611

Page 1 of 1

APPLICATION NO. : 10/697,351

ISSUE DATE : November 2, 2010

INVENTOR(S) : Kenneth F. BUECHLER

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In Item (73) Assignee: Please change the name of Assignee as "Alere San Diego, Inc., San Diego, CA (US)".

MAILING ADDRESS OF SENDER: (Please do not use customer number below)

Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Attorney Docket No.: 36671-716.302

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): K. BUECHLER
 Serial Number: 10/697,351
 Filing Date: October 29, 2003
 Issued Patent No.: 7,824,611
 Issued: November 2, 2010
 Title: **Diagnostic Devices and Apparatus for
 the Controlled Movement of Reagents
 without Membranes**

CONFIRMATION NO: 7522

Group Art No. 1797

STATEMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

Sir or Madam:


In connection with the Request for Certificate of Correction of the issued patent submitted concurrently herewith, the undersigned hereby states that an incorrect assignee name was inadvertently set forth in error. The Applicant therefore request to correct the Assignee as Alere San Diego, San Diego, CA. A Certificate of Correction is therefore requested.

The Applicant believe that there is no fee associated with this re-submission; however, the Commissioner is hereby authorized to charge any required fees due in connection with this submission, including petition and extension of time fees, and to credit any overpayment, to Deposit Account No. 23-2415 (Docket No.: 36671-716.302).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Date: May 11, 2011

By: 
 Anavelys Ortiz-Suarez
 Registration No. 63,535

Wilson Sonsini Goodrich & Rosati
 650 Page Mill Road
 Palo Alto, California 94304
 Telephone No.: (650) 493-9300
 Facsimile No.: (650) 493-6811

TO: WILSON SONSINI GOODRICH & ROSATI COMPANY: 850 PAGE MILL ROAD

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WILSON SONSINI
GOODRICH & ROSATI



Alera (36671-716.302)
VNI/MCN/ASU/QLZ

UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARCH 14, 2011

PTAS

WILSON SONSINI GOODRICH & ROSATI
650 PAGE MILL ROAD
DALO ALTO, CA 94304

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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 03/10/2011

REEL/FRAME: 025935/0641

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

DOCKET NUMBER: 36671-716.302

ASSIGNOR:

BIOSITE INCORPORATED

DOC DATE: 07/01/2010

ASSIGNEE:

ALERE SAN DIEGO, INC.
9975 SUMMERS RIDGE ROAD
SAN DIEGO, CALIFORNIA 92121

ENTERED

MAR 22 2011

WILSON SONSINI
GOODRICH & ROSATI

May.11. 2011 1:06PM

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No.5459 P. 7

USPTO

3/22/2011 7:55:01 AM PAGE 3/004 Fax Server

TO:WILSON SONSINI GOODRICH & ROSATI COMPANY:650 PAGE MILL ROAD

C25935/0641 PAGE 2

APPLICATION NUMBER: 10697331

FILING DATE: 10/29/2003

PATENT NUMBER: 7024611

ISSUE DATE: 11/02/2010

TITLE: DIAGNOSTIC DEVICES AND APPARATUS FOR THE CONTROLLED MOVEMENT
OF REAGENTS WITHOUT MEMBRANES

SHIRLIE SIMON, EXAMINER
ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

TO: WILSON SONSINI GOODRICH & ROSATI COMPANY; 650 PAGE MILL ROAD

PATENT ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.1

03/10/2011
501463257

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
Biosite Incorporated	07/01/2010
RECEIVING PARTY DATA	
Name:	Alerc San Diego, Inc.
Street Address:	9975 Summers Ridge Road
City:	San Diego
State/Country:	CALIFORNIA
Postal Code:	92121
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	10697351
CORRESPONDENCE DATA	
Fax Number:	(850)493-6811
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	(850) 493-9300
Email:	tsalvacion@wsgr.com
Correspondent Name:	Wilson Sonsini Goodrich & Rosati
Address Line 1:	650 Page Mill Road
Address Line 4:	Palo Alto, CALIFORNIA 94304
ATTORNEY DOCKET NUMBER:	36671-716.302
NAME OF SUBMITTER:	Terry Salvacion
Total Attachments: 1 source=BiositeToAlerc#page1.tif	

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AND TRADEMARK OFFICE

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WILSON SONSINI
GOODRICH & ROSATI

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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Date Mailed : April 18, 2011
Patent No. : 7,824,611 B2
Ser. No. : 10/697351
Issued : November 2, 2010
Inventor(s) : Kenneth F. Buchler
Title : DIAGNOSTIC DEVICES AND APPARATUS FOR THE CONTROLLED
MOVEMENT OF REAGENTS WITHOUT MEMBRANES

Request for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction for the above-identified patent under the provisions of Rule(s) 1.322 and/or 1.323.

Assignees' names and addresses (assignment data, attorney agent/firm) printed in a patent, are based *solely* on information supplied in the appropriate space for identifying the assignment data, i.e., item 3 of the Issue Fee Transmittal Form PTOL-85B. Granting of a request under 37 CFR 3.81(b) is required to correct applicant's error providing *incorrect or erroneous* assignment data, before issuance of a Certificate of Correction, under 37 CFR 1.323 (see *Manual of Patent Examining Procedures (M.P.E.P) Chp. 1400, sect. 1481*). This procedure is required at any time after the issue fee is paid, including after issuance of the patent.

In view of the foregoing, your request is hereby denied.

A request to correct the Assignee under 37 CFR 3.81(b) should include:

- A. the processing fee set forth in 37 CFR 1.17(h) (currently \$130);
- B. a statement that the failure to include the correct assignee name on the PTOL-85B was inadvertent; and
- C. a copy of the Notice of Recordation of Assignment Document, reflecting the reel and frame number where the assignment(s) is recorded and/or reflecting proof of the date the assignment was submitted for recordation.

In the Request, Applicant(s) may request that the file be forwarded to Certificates of Correction Branch, for issuance of a Certificate of Correction, if the Request is granted.

Any request under 37 CFR 3.81(b) should be directed to the following address or facsimile number:

By mail: Mail Stop PETITIONS
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: Customer Service Window
Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By fax: (571) 273-0025
ATTN: Office of Petitions

If a fee (currently \$100) was previously submitted for consideration of a Request for Certificate of Correction, under CFR 1.323, to correct assignment data, no additional fee is required.

[REDACTED]

For Mary F. Diggs, Supervisor
Decisions & Certificates
of Correction Branch
(571) 272-0423

Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304

MD/mt